

2011 WL 3624774 (Fla.Cir.Ct.) (Trial Pleading)
Circuit Court of Florida.
19th Judicial Circuit
St. Lucie County

Cynthia Saputa HASKETT, as Personal Representative of the Estate of Lottie Saputa, Plaintiff,

v.

LAWNWOOD REGIONAL MEDICAL CENTER, Dr. Delvis Celdran, Dr.
Slobodan Jazarevic, Dr. Gloria McNeil, Dr. Abdul Shadani, Defendants.

No. 562010CA004274.
April 25, 2011.

Amended Complaint -- Elder Abuse and Neglect

Sean Biggins, 1705 19th Pl, E-2, Vero Beach, FL 32960, 772-567-5333, Attorney for Plaintiff, FLB# 854514.

COMES NOW, plaintiff, by and through the undersigned attorney, to sue defendants, Lawnwood Regional Medical Center, Dr. Delvis Celdran, Dr. Slobodan Jazarevic, Dr. Gloria McNeil, and Dr. Abdul Shadani, under [Florida Statutes 415.1111 Elder Abuse](#) and Neglect:

ALLEGATIONS AS TO ALL COUNTS

1. This is an action for damages that exceeds \$15,000.
2. Cynthia Saputa Haskett, daughter and representative of Lottie Saputa had power of attorney during this time and is executor of her estate.
3. Lottie Saputa, age 87, of Port St. Lucie, Florida, was a vulnerable adult, as described in [Florida Statutes 415.1111](#) and [415.102\(26\)](#) and was admitted to Lawnwood Regional Medical Center on August 14, 2008, for weakness, dehydration, and difficulty swallowing.
4. Lottie Saputa was **abused** and neglected by her caregivers, as described in [Florida Statutes 415.102\(4\)](#), by defendants Lawnwood Regional Medical Center, Dr. Delvis Celdran, Dr. Slobodan Jazarevic, Dr. Gloria McNeil, and Dr. Abdul Shadani, as described below at Lawnwood in St. Lucie County, FL.
5. Defendants, Lawnwood Regional Medical Center, Dr. Delvis Celdran, Dr. Slobodan Jazarevic, Dr. Gloria McNeil, and Dr. Abdul Shadani, were “alleged perpetrators”, [Florida Statutes 415.102\(2\)](#), in this **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

COUNT I- LAWNWOOD

6. Paragraphs 1-5 are re-alleged.
7. On August 14, 2008, defendant, Lawnwood Regional Medical Center, a “facility” as described in [Florida Statutes 415.102\(8\)](#), operated a hospital in St. Lucie County Florida and was a “caregiver” as described in [Florida Statutes 415.102\(4\)](#), of Lottie Saputa.

8. Lottie Saputa was continent, yet she was diapered, instead of given assistance to the bathroom, and was allowed to lie in soiled diapers for hours, causing pain and suffering due to **elder abuse** and neglect by defendant, Lawnwood Regional Medical Center as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

9. Lottie Saputa was not bathed nor were supplies made available to her for bathing/ basic hygiene for several days, causing pain and suffering due to **elder abuse** and neglect by defendant, Lawnwood Regional Medical Center as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

10. Lottie Saputa was not given food/nutrition and water by defendant, Lawnwood Regional Medical Center from her admission on August 14, 2008 until her death on August 22, 2008 causing pain and suffering due to **elder abuse** and neglect as described in Florida Statutes 415.102(1) and 415.102(15).

11. Consent for PEG feeding tube or possible alternative central venous line was signed on August 17, 2008 by Proxy Cynthia Haskett (POA) but procedure was not done until August 21, 2008 by defendant, Lawnwood Regional Medical Center causing pain and suffering due to **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

12. Lottie Saputa was given pressor agent Levofed for hypovolemia rather than necessary IV fluids on August 22, 2008 by defendant, Lawnwood Regional Medical Center causing pain and suffering due to **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

13. Lottie Saputa was not given a chest tube to remedy her shortness of breath due to a hemothorax for over 12 hours by defendant, Lawnwood Medical Center causing pain and suffering due to **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

WHEREFORE, plaintiff demands judgment against Lawnwood Regional Medical Center for actual damages, and cost of the action, court costs, and attorney's fees for deprivation and infringement of the rights and **elder abuse** and neglect of Lottie Saputa.

COUNT II - DR. CELDRAN

14. Paragraphs 1-5 are re-alleged.

15. In August 2008, Defendant, Dr. Delvis Celdran, 543 NW Lake Whitney Place #105, Port St. Lucie, FL 34986, a "caregiver" as described in [Florida Statutes 415.102\(4\)](#), was practicing at Lawnwood Regional Medical Center and was a caregiver of Lottie Saputa.

16. Lottie Saputa was not given food/nutrition and water by defendant Dr. Delvis Celdran from her admission on August 14, 2008 until her death on August 22, 2008, causing pain and suffering due to **elder abuse** and neglect as described in Florida Statutes 415.102 (1) and 415.102 (15).

17. Lottie Saputa developed chest pain, shortness of breath, and hypotension on August 22, 2008 due to a large leftsided hemothorax, yet was allowed to lay and suffer without palliative relief of IV fluids and a chest tube by Dr. Delvis Celdran due to **elder abuse** and neglect as described in [Florida Statutes 415.102 \(1\)](#) and [415.102 \(15\)](#).

WHEREFORE, plaintiff demands judgment against Dr. Delvis Celdran for actual damages, and cost of the action, court costs, and attorney's fees for deprivation and infringement of the rights and **elder abuse** and neglect of Lottie Saputa.

COUNT III - DR. JAZAREVIC

18. Paragraphs 1-5 are re-alleged.

19. In August 2008, Defendant, Dr. Slobodan Jazarevic, 2401 Frist Blvd #6, Fort Pierce, FL 34950, a “caregiver” as described in [Florida Statutes 415.102\(4\)](#), was practicing at Lawnwood Regional Medical Center and was a caregiver of Lottie Saputa.

20. Lottie Saputa was not ordered or given food/nutrition and water by defendant, Dr. Slobodan Jazarevic from her admission on August 14, 2008 until her death on August 22, 2008 causing pain and suffering due to **elder abuse** and neglect as described in Florida Statutes 415.102(1) and 415.102(15).

21. Consent for PEG feeding tube or possible alternative central venous line was signed on August 17, 2008 by Proxy Cynthia Haskett (POA) for patient Lottie Saputa but procedure was not done until August 21, 2008 by defendant, Dr. Slobodan Jazarevic causing pain and suffering due to **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

22. Lottie Saputa developed chest pain, shortness of breath, and hypotension on August 22, 2008 due to a large leftsided hemothorax, yet was allowed to lay and suffer without palliative relief of IV fluids for hypovolemia by defendant, Dr. Slobodan Jazarevic causing pain and suffering due to **elder abuse** as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

23. Lottie Saputa was not given a chest tube by defendant, Dr. Slobodan Jazarevic to remedy her shortness of breath due to a hemothorax for over 12 hours causing pain and suffering due to **elder abuse** as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

WHEREFORE, plaintiff demands judgment against, Dr. Slobodan Jazarevic, for actual damages, and cost of the action, court costs, and attorney's fees for deprivation and infringement of the rights and **elder abuse** and neglect of Lottie Saputa.

COUNT III - DR. MCNEIL

24. Paragraphs 1-5 are re-alleged.

25. In August 2008, Defendant, Dr. Gloria McNeil, 2402 Frist Blvd #200, Fort Pierce, FL 34950, a “caregiver” as described in [Florida Statutes 415.102\(4\)](#), was practicing at Lawnwood Regional Medical Center and was a caregiver of Lottie Saputa.

26. Lottie Saputa was not ordered or given food/nutrition and water by defendant Dr. Gloria McNeil from her admission on August 14, 2008 until her death on August 22, 2008, causing pain and suffering due to **elder abuse** and neglect as described in Florida Statutes 415.102 (1) and 415.102 (15).

27. Lottie Saputa developed chest pain, shortness of breath, and hypotension on August 22, 2008 due to a large leftsided hemothorax, yet was allowed to lay and suffer without palliative relief of IV fluids for hypovolemia by defendant, Dr. Gloria McNeil causing pain and suffering due to **elder abuse** as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

28. A chest tube was not ordered by defendant, Dr. Gloria McNeil to remedy the shortness of breath of Lottie Saputa caused by a hemothorax causing pain and suffering due to **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

WHEREFORE, plaintiff demands judgment against Dr. Gloria McNeil, and, for actual damages, and cost of the action, court costs, and attorney's fees for deprivation and infringement of the rights and **elder abuse** and neglect of Lottie Saputa.

COUNT III – DR. SHADANI

29. Paragraphs 1-5 are re-alleged.

30. In August 2008, Defendant, Dr. Abdul Shadani 2215 Nebraska Avenue, Suite 1B2, Fort Pierce, FL 34950, a “caregiver” as described in [Florida Statutes 415.102\(4\)](#), was practicing at Lawnwood Regional Medical Center and was a caregiver of Lottie Saputa.

31. Lottie Saputa was not ordered or given food/nutrition and water by defendant Dr. Abdul Shadani from her admission on August 14, 2008 until her death on August 22, 2008, causing pain and suffering due to **elder abuse** and neglect as described in Florida Statutes 415.102(1) and 415.102 (15).

32. Lottie Saputa was given pressor agent Levofed for hypovolemia rather than necessary IV fluids on August 22, 2008 by defendant, Dr. Abdul Shadani causing pain and suffering due to **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

33. A chest tube was not ordered by defendant, Dr. Abdul Shadani for over 12 hours to remedy the shortness of breath of Lottie Saputa caused by a hemothorax causing pain and suffering due to **elder abuse** and neglect as described in [Florida Statutes 415.102\(1\)](#) and [415.102\(15\)](#).

WHEREFORE, plaintiff demands judgment against Dr. Abdul Shadani, for actual damages, and cost of the action, court costs, and attorney's fees for deprivation and infringement of the rights and **elder abuse** and neglect of Lottie Saputa.

Plaintiff demands a trial by jury on all counts.

I hereby certify that a copy of the foregoing was mailed to: Adam RhysNorthbridge Center, 515 N. Flagler, Suite 1600, W. Palm Beach, FL 33401, Marta Stypulkowski, 1555Palm Beach Lakes Blvd., Suite 1600, West Palm Beach, FL 33401, Craig S. Foels, P.O. Box 4974, Orlando, FL 32802-4974 this March 10, 2011.